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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

13 KALMAN ISAACS, individually and on
14 behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 ELON MUSK and TESLA, INC.,

18 Defendants.

Case No. 3:18-cv-04865-EMC

**STIPULATION REGARDING
ADMINISTRATIVE MOTION TO
RELATE CASES AND [PROPOSED]
ORDER RELATING CASES**

(Civil L.R. 3-12, 7-11, and 7-12)

Judge: Hon. Edward M. Chen

Date Action Filed: August 10, 2018

1 WHEREAS, on August 10, 2018 plaintiff Kalman Isaacs filed a complaint alleging
 2 violation of the federal securities laws against Tesla, Inc. and Elon Musk, captioned *Isaacs v.*
 3 *Musk et al.*, Case No. 3:18-CV-04865-EMC (“*Isaacs*”); and

4 WHEREAS, on August 10, 2018 plaintiff William Chamberlain filed a complaint alleging
 5 violation of the federal securities laws against the same defendants, captioned *Chamberlain v.*
 6 *Tesla, Inc. et al.*, Case No. 3:18-CV-04876-JST (“*Chamberlain*”); and

7 WHEREAS, on August 13, 2018 plaintiff John Yeager filed a complaint alleging violation
 8 of the federal securities laws against the same defendants, captioned *Yeager v. Tesla, Inc. et al.*,
 9 Case No. 3:18-CV-04912-CRB (“*Yeager*”); and

10 WHEREAS, on August 14, 2018 plaintiff Carlos Maia filed a complaint alleging violation
 11 of the federal securities laws against the same defendants, captioned *Maia v. Tesla, Inc. et al.*,
 12 Case No. 3:18-CV-04939-EMC (“*Maia*”); and

13 WHEREAS, on August 15, 2018 plaintiff Kewal Dua filed a complaint alleging violation
 14 of the federal securities laws against the same defendants, captioned *Dua v. Tesla, Inc. et al.*,
 15 Case No. 4:18-CV-04948-HSG (“*Dua*”); and

16 WHEREAS, on August 28, 2018 plaintiff Joshua Horwitz filed a complaint alleging
 17 violation of the federal securities laws against the same defendants, captioned *Horwitz v. Tesla,*
 18 *Inc. et al.*, Case No. 5:18-CV-05258-LHK (“*Horwitz*”);

19 WHEREAS, on September 6, 2018, plaintiff Andrew E. Left filed a complaint alleging
 20 violation of the federal securities laws against the same defendants, captioned *Left v. Tesla, Inc. et*
 21 *al.*, Case No. 3:18-cv-05463-VC (“*Left*”);

22 WHEREAS, on September 6, 2018, plaintiff Zhi Xing Fan filed a complaint alleging
 23 violation of the federal securities laws against the same defendants, captioned *Fan v. Tesla, Inc. et*
 24 *al.*, Case No. 3:18-cv-05470-YGR (“*Fan*”);

25 WHEREAS, the *Isaacs* and *Maia* actions have previously been deemed related and are
 26 currently assigned to the Honorable Edward M. Chen, but the subsequent *Chamberlain*, *Yeager*,
 27 *Dua*, *Horwitz*, *Left*, and *Fan* actions are assigned to various other Judges of the United States
 28 District Court for the Northern District of California; and

WHEREAS the parties believe the actions should be related because (1) they are all purported class actions, asserting the same causes of action under Section 10(b) and 20(a) of the Securities Exchange Act of 1934, against the same defendants, and arising from the same circumstances; and (2) it would be unduly burdensome, involve unwarranted duplication of effort and expense, and give rise to the prospect of inconsistent or conflicting results if the cases were heard by different Judges.

IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rules 3-12, 7-11 and 7-12, by and between undersigned counsel for the parties, that in addition to *Maia*, the *Chamberlain, Yeager, Dua, Horwitz, Left*, and *Fan* actions should also be related to the *Isaacs* action.

Dated: September 7, 2018

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7 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filling this stipulation.

8 Dated: September 7, 2018

By: /s/ Jennifer C. Bretan
Jennifer C. Bretan

9 * * *

10 11 **[PROPOSED] ORDER**

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 Dated: September __, 2018

14 Hon. Edward M. Chen
United States District Court Judge

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO